

KANSAS FIRE PREVENTION CODE

The Kansas State Fire Marshal's Office is responsible for ensuring the safety of Kansas from the dangers of fire and explosion. The Fire Prevention Division does this through setting requirements for new and existing buildings throughout the state, by enforcing the requirements through inspections, and through reviewing plans, code footprints, and sprinkler and fire alarm documentation before new construction begins.

The Kansas Fire Prevention Code combines many different documents including state statutes, regulations, KSFM interpretations and rules, nationally developed codes adopted through statute or regulation, and handbooks or other interpretive guidelines authorized by the publishers of nationally developed codes. Kansas statutes and regulations supersede any requirement found in nationally developed codes. Before national codes or standards can become part of the Kansas Fire Prevention Code, they must first be adopted by reference through statute or regulation.

Local building and fire officials can enact more stringent requirements than those laid out in the Kansas Fire Prevention Code, but they do not have the authority to permit lesser life safety features than those required at the state level.

A list of pertinent statutes and regulations can be found at the KSFM website at <http://www.accesskansas.org/firemarshal>.

VIOLATIONS OF STATE LAW

Building owners and operators are responsible for maintaining the buildings in compliance with the Kansas Fire Prevention Code, regardless of whether or not they have been inspected by a fire official. Ignorance of state law will not protect the occupants; neither will it protect the building owners and operators.

Violations of the Kansas Fire Prevention Code may result in fines, misdemeanor criminal charges, loss of facility approval for licensure, and discontinued use of a facility.

THE KANSAS BUILDINGS FIRE SAFETY HANDBOOK

The Kansas Buildings Fire Safety Handbook (KBFSH) acts as a sort of safety net: it combines many basic tenets of fire protection and building safety and is the minimum acceptable level of fire safety in all buildings other than one- and two-family dwellings across Kansas. By state law, existing buildings do not have to be upgraded or retrofitted to meet the requirements of newly adopted codes. However, existing

buildings must meet the criteria laid out in this handbook, regardless of when the building was constructed or what codes were in effect at the time of construction.

The KBFSH consists of two major sections: inspection checklists and Fire Facts. The first checklist, KSFMO General Inspection Checklist – 06, is applicable for every facility, regardless of occupancy type. Following this are checklists which are applicable to specific occupancy types. It is not unusual for a building to have more than one type of occupancy. For example, a typical school will be an educational occupancy, but an auditorium or gym within the school would also be considered assembly occupancy.

The inspection checklists are set up using the ENDSS Protocol. ENDSS stands for Exiting, Notification, Detection, Separation, and Suppression and is a method of prioritizing safety features within a building. Using this protocol, exiting is considered the single most important feature to a building's safety, followed by notification, detection, and so on.

Within the ENDSS protocol, individual items are focused on places that can be accessed by the general public. For example, the G06 checklist for apartment buildings doesn't focus on the door locks within an apartment, but instead looks at the locks on doors serving all occupants in the building or a section of the building.

Many items within the inspection checklists reference specific Fire Facts, which are found in the section following the checklists. The Fire Facts offer greater detail and much more information than the checklists are able to. The Fire Facts contain sample documentation sheets, tips on equipment testing, clarification on acceptable building features, decorating guidelines for schools, and much more. An index for the Fire Facts is also provided.

The KBFSH does not contain information for every type of facility. For example, the criteria for hospitals and nursing homes are not found in this handbook. This is because of a contractual agreement between these facilities and the federal government, which requires hospitals and nursing homes to abide by a much more stringent standard than that required by Kansas law.

THE ROLE OF THE KSFM INSPECTOR

During an inspection, the representative of the KSFM identifies dangerous or non-conforming conditions. Although KSFM representatives are trained and experienced in their duties, it is the responsibility of the facility to find the best solution to address deficiencies. Design professionals of all types are available to provide a wide range of options so that you, the facility representative, can be sure the solution is right and cost effective.

KANSAS FIRE PREVENTION CODE REVISED

All buildings in Kansas other than those used wholly as one and two family dwellings must meet the Kansas Fire Prevention Code. The Kansas Fire Prevention Code has been updated by two regulations and two statute changes affecting new construction and changes in occupancy.

1) K.A.R. 22-1-7 All new construction and changes in occupancy other than one and two family dwellings in Kansas require a code footprint as described by the Kansas State Fire Marshal to be maintained on site. Occupancies for use by either the young, infirm, incarcerated, large multi-story residential, assembly with over 2,000 people require state fire marshal acceptance.

2) K.A.R. 22-1-3 All new construction other than one and two family dwellings in Kansas must be designed and constructed in compliance with the 1997 Uniform Building Code, 1997 Southern Building Code, the 1999 Building Officials Construction Administration Code or the 2000 International Building Code in order to meet the Kansas Fire Prevention Code. New construction built under other codes or editions are no longer recognized as meeting the Kansas Fire Prevention Code.

3) K.S.A. 31-150 All new school construction must meet the 2000 edition of the International Building Code. Later editions of the International Building Code will also be recognized.

4) K.S.A. 31-150 All post secondary schools shall submit a code footprint for review and approval by the Kansas State Fire Marshal prior to any new construction or remodel projects.

Previously, since September 2003, all new health care construction must meet the 2000 edition of the Life Safety Code and Centers for Medicare-Medicaid regulations to be eligible to receive Medicare Medicaid reimbursements from the federal government.

Kansas Statute 31-150a. Violation of act is class B misdemeanor; injunctions.

- a) Any person who violates state law shall be guilty of a class B misdemeanor, and each day that the offense continues after receipt of written notice shall constitute a separate violation.
- b) The state fire marshal may obtain an injunction to restrain any violation where such violation is a continuing offence or constitutes an immediate hazard to life or property.

Kansas Statute 31-159. Violations of Fire Prevention Code, Administration Penalties.

- a) In addition to any other penalty, the state fire marshal may impose a penalty not to exceed \$1,000.

